GREAT BRITAIN, Statutes.

Anno Regni
GEORGII
REGIS
Magnæ Britanniæ, Franciæ, & Hiberniæ,
OCTAVO.

At the Parliament Begun and Holden at *Weſtminſter*, the Seventeenth Day of *March*, *Anno Dom.* 1714. In the Firſt Year of the Reign of our Sovereign Lord *GEORGE*, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence Continued by ſeveral Prorogations to the Nineteenth Day of *October*, 1721. Being the Eighth Seſſion of this preſent Parliament.

G R

London, Printed by *John Baskett*, Printer to the Kings moſt Excellent Majeſty, And by the Aſſigns of *Thomas Newcomb*, and *Henry Hills*, deceas'd. 1722.

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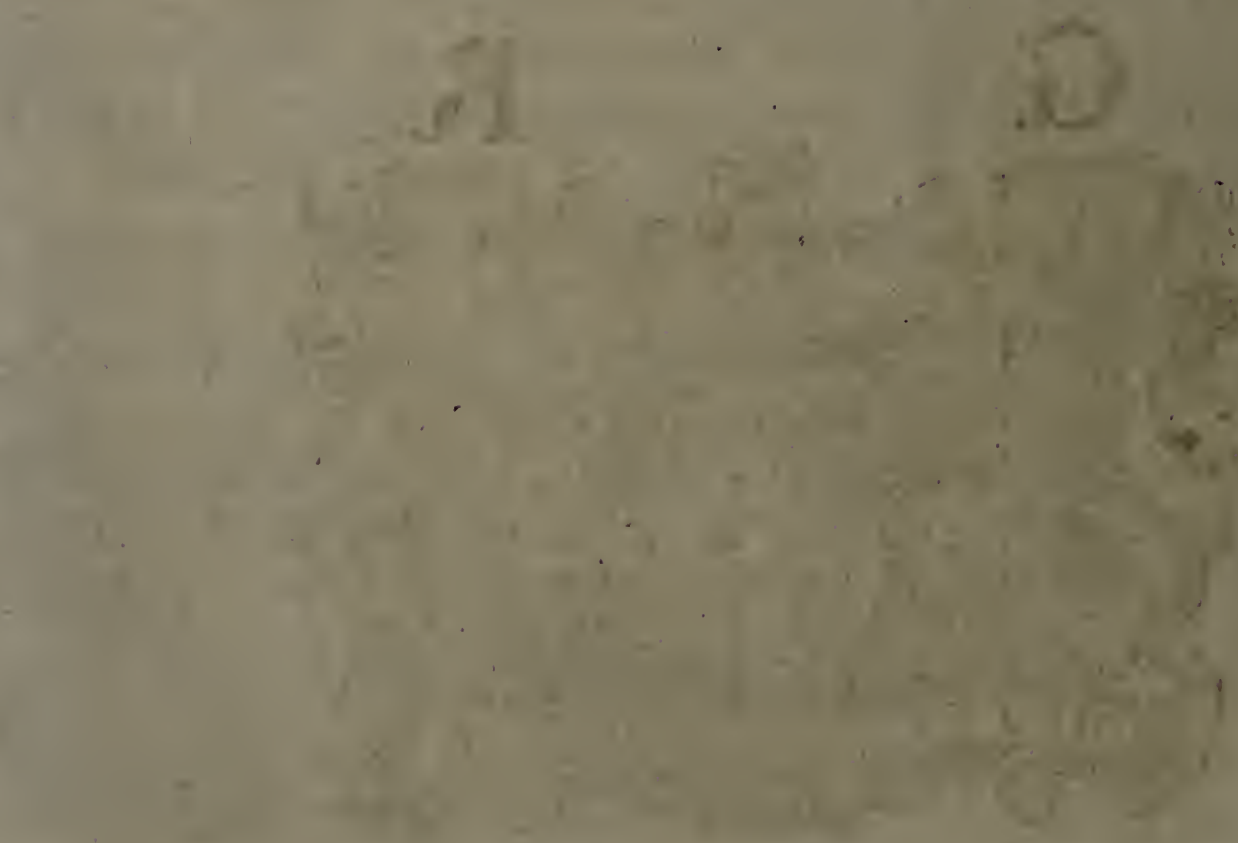

Anno Octavo

Georgii Regis.

An Act to prevent the Clandeſtine Running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarentine; and to ſubject Copper Ore, of the Production of the *Britiſh* Plantations, to ſuch Regulations, as other Enumerated Commodities of the like Production are ſubject.

FOraſmuch as the Laws already made to prevent the ſecret Landing of Prohibited and Uncuſtomed Goods, have been found inſufficient for that Purpoſe, it being Notorious that ſuch Infamous and Pernicious Practices are ſtill continued, in open Defiance of the Laws, to the great Diminution of the Publick Revenues, the Diſcouragement of Honeſt Traders, and, during the Time of Infection Abroad, to the Endangering the Health and Lives of many Thouſands of His Majeſties Innocent Subjects, by bringing into this Kingdom, from Infected Places, Goods apt to retain Infection: And whereas by an Act paſſed in the Fifth Year of His preſent Majeſties Reign, Intituled, An Act againſt Clandeſtine Running of Uncuſtomed Goods; and for the more effectual Preventing of Frauds relating to the Cuſtoms, It was Enacted, That any Ship, Veſſel, or Boat, of the Bur- Preamble.

then of Fifteen Tuns, or under, wherein any Brandy, Arrack, Rum, Strong Waters, or Spirits of any Kind whatsoever, should be imported or brought into Great Britain, or into any Port, Harbour, Haven, or Creek thereof (except as therein is excepted) such Ship, Vessel, or Boat, with all her Tackle, Furniture, and Apparel, or the Value thereof, should be forfeited and lost, and should and might be seized, recovered, broke up, and sold, as therein mentioned; which Forfeiture is, by an Act passed in the Sixth Year of the Reign of his present Majesty, Intituled, An Act for preventing Frauds and Abuses in the Publick Revenues of Excise, Customs, Stamp-Duties, Post-Office, and House-Money, extended to Vessels of Thirty Tuns: And whereas to elude the Intent of the said Laws, many Persons do now carry on a Clandestine Trade by Importing those Goods in Ships and Vessels above the Burthen of Thirty Tuns; For the Prevention thereof, Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That if any Foreign Brandy, Arrack, Strong Waters, or Spirits of any Kind whatsoever, shall, from and after the Twenty fifth Day of March, One thousand seven hundred and twenty two, be imported or brought into Great Britain, or into any Port, Harbour, Haven, or Creek there-

After 25 *March*, 1722. no Brandy, *&c.* to be imported in any Vessel less than 40 Tuns.

of, in any Ship, Vessel, or Boat, of the Burthen of Forty Tuns, or under, according to the Admeasurement prescribed in the last mentioned Act (except only for the Use of the Seamen then belonging to and on Board such Ship, Vessel, or Boat, not exceeding Two Gallons for each such Seaman) every such Ship, Vessel, or Boat, with all her Tackle, Furniture, and Apparel, as also all such Brandy, Arrack, Strong Waters, or Spirits, or the Value thereof, shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs, and shall and may be prosecuted and divided in such Manner and Form as is prescribed in the said Acts concerning Ships, Vessels, and Boats of Fifteen or Thirty Tuns, as aforesaid; Any Law or Custom to the contrary notwithstanding.

Penalty.

And be it further Enacted by the Authority aforesaid, That after the Seizure and Condemnation of such Ship, Vessel, or Boat, the Principal Officers of his Majesties Customs, in the Port or Place where the same shall be at the time of such Condemnation, are hereby directed to cause the Hull of such Ship, Vessel, or Boat, to be burnt and wholly destroyed, and the Tackle, Furniture, and Apparel there-

After Seizure and Condemnation Hull of Ship to be burnt, and the Tackle, *&c.* sold.

unto belonging, to be publickly sold to the best Advantage, and the Produce thereof to be divided, as herein after mentioned, the reasonable Charges of Prosecuting, Selling, and Burning, as aforesaid, being first deducted.

And whereas many Frauds are committed, to the Prejudice of the Revenue, in the Clandestine Running of Goods Imported, and in Relanding Certificate Goods, as well as in Exporting Wooll, and the Coin of this Kingdom, by Watermen and others, in Boats, Wherries, Pinnaces, Barges, or Gallies, which are sometimes rowed with Six, Eight, or Twelve Oars, built on purpose for the Smuggling Trade, and in case they are pursued by the Officers, do make their Escape, which may be also a Means of bringing in the Infection; For the Preventing whereof, Be it further Enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and twenty two, if any Boat, Wherry, Pinnace, Barge, or Gally, rowing, or made or built to row, with more than Four Oars, shall be found upon the Water, or in any Bargehouse, Workhouse, Shed, or other Place, within any of the Counties of Middlesex, Surrey, Kent, or Essex, or in the River of Thames, either above or below London Bridge, or within the Limits of the Ports of London, Sandwich, or Ipswich, or the Members or Creeks to them, or either of them respectively belonging, such Boat, Wherry, Pinnace, Barge, or Gally, with all her Tackle and Furniture, or the Value thereof, shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs; and the Owner or Owners thereof, or any Person using, or rowing in such Boat, Wherry, Pinnace, Barge, or Gally, shall also forfeit and lose the Sum of Forty Pounds; and such Seizure and Forfeiture shall and may be prosecuted in the manner herein after mentioned; and after the Seizure and Condemnation of such Boat, Wherry, Pinnace, Barge, or Gally, the Principal Officers of His Majesties Customs, in the Port or Place where the same shall be at the time of such Condemnation, are hereby directed to cause such Boat, Wherry, Pinnace, Barge, or Gally, to be burnt, and wholly destroyed, and the Tackle, Furniture, and Apparel thereunto belonging, to be publickly Sold to the best Advantage, the Produce whereof to be divided as herein after mentioned; the reasonable Charges of Prosecuting, Selling, and Burning, as aforesaid, being first deducted.

Boats, &c. rowing with more than 4 Oars, above or below *London Bridge*, &c. forfeited.

Owner, &c. to forfeit 40 *l.*

Boat, &c. after Condemnation, to be burnt.

To what Barges, &c. this Act shall not extend.

Provided always, That this Act shall not extend, or be construed to extend, to any Barge or Gally belonging to, or to belong to His Majesty, or the Royal Family, or any of them, or to any Long Boat, Yaul, or Pinnace, belonging to, and used in the Service of any Merchant Ship, or Vessel, or to such Boat, Wherry, Pinnace, Barge, or Gally, as shall be licensed by the Lord High Admiral, or Commissioners for Executing the Office of Lord High Admiral, or the major part of the same Commissioners, for the time being; which Licences shall be in Writing, signed by the said Lord High Admiral, or Commissioners for Executing the Office of Lord High Admiral, or the major part of such Commissioners, for the time being, and shall be granted without any Fee or Charge whatsoever.

Licences to be signed by Admiralty.

Security to be given, that Boat shall not be used for Running of Uncustomed Goods, &c.

Provided always, That no such Licence shall be granted, but upon sufficient Security to be given to his Majesty, his Heirs and Successors, by the Owner or Owners of such Boat, Wherry, Pinnace, Barge, or Gally, by Bond, in such Penalty as the Lord High Admiral, or Commissioners for Executing the Office of Lord High Admiral, for the time being, shall find to be reasonable, with Condition that the same shall not be made use of in the Clandestine Running of Uncustomed and Prohibited Goods; which Security the said Lord High Admiral, or the Commissioners for Executing the Office of Lord High Admiral, who shall grant such Licence, are hereby impowered and required to take for the Use of his Majesty, his Heirs and Successors.

Persons passing with Foreign Goods landed without Entry, and being more than Five, and resisting Officer, &c. to be Transported.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and twenty two, all and every Person and Persons, who shall be found passing (knowingly and wittingly) with any Foreign Goods, or Commodities, landed from any Ship or Vessel, without the due Entry and Payment of the Duties by Law charged thereon, in his, her, or their Custody, from any of the Coasts of this Kingdom, or within the Space of Twenty Miles of any of the said Coasts, and shall be more than Five Persons in Company, or shall carry any Offensive Arms or Weapons, or wear any Vizard, Mask, or other Disguise, when passing with such Goods or Commodities, as aforesaid, or shall forcibly hinder or resist any of the Officers of the Customs or Excise, in the Seizing or Securing any sorts or kinds of Run Goods or Commodities, shall be deemed and taken to be Runners of Foreign Goods and Commodities, within the Meaning of

this present Act, and (being convicted of or for any of the said Offences, for which he, she, or they so convicted, are by this present Act declared to be deemed and taken to be Runners of Foreign Goods and Commodities) shall be adjudged Guilty of Felony, and shall, for such his, her, or their Offence, be Transported as a Felon, to some or one of His Majesties Colonies or Plantations in America, there to remain for the Space of Seven Years, in the same manner as Felons are appointed to be Transported, by an Act made in the Fourth Year of His Majesties Reign, Intituled, An Act for the Preventing of Robbery, Burglary, and other Felonies; and for the more effectual Transportation of Felons, and unlawful Exporters of Wooll; and for Declaring the Law in some Points against Piracies; and by another Act made in the Sixth Year of His Majesties Reign, Intituled, An Act for the further Preventing Robbery and Burglary, and other Felonies; and for the more effectual Transportation of Felons; and if any such Offender or Offenders shall return into Great Britain or Ireland, before the Expiration of the said Seven Years, he, she, or they so returning, shall suffer as Felons, and have Execution awarded against him, her, or them, as Persons attainted of Felony, without Benefit of Clergy.

Returning into *Great Britain* or *Ireland* Felony.

Provided nevertheless, and it is hereby Enacted and Declared by the Authority aforesaid, That if any Runner of Foreign Goods or Commodities, as aforesaid, shall, within Two Months after such his Offence, and before his Conviction, discover Two or more of his Accomplices therein, to the Commissioners of the Customs or Excise in England or Scotland respectively, so as they, or Two of them at least, be convicted of such Offence, the Offender or Offenders so discovering, shall have and receive the Sum of Forty Pounds for every such Offender so discovered and convicted, as a Reward for such his Discovery, so as the Value of the Goods recovered for the Use of His Majesty on such Discovery, shall exceed the Sum of Fifty Pounds; and such Person so Discovering, shall be clearly acquitted and discharged of such his or her Offence.

Offender, before Conviction, discovering Two Accomplices within Two Months, to have 40 *l.* for each, and acquitted, *&c.*

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and twenty two, if any other Person or Persons shall, within Three Months after such Offence shall have been committed, discover to the said Commissioners respectively, any Person or Persons who shall have been Guilty of such Offence, so as such Offender or Offenders be convicted thereof, such Discoverer or Discoverer shall have and receive the like Reward of Forty Pounds for every such

Other Persons discovering in Three Months, to have 40 *l.* over and above any other Reward.

Offender

Offender so discovered and convicted, over and above any other Reward or Recompence, which he or they may be entitled unto, on Account of the Goods so carried or conveyed away, which shall be recovered by Means of such his or their Discovery, or on Account of the Penalties which shall be recovered for the Running the said Goods, so as the Value of the Goods recovered for the Use of his Majesty on such Discovery, shall exceed the Sum of Fifty Pounds.

Reward by whom to be paid.

And be it further Enacted by the Authority aforesaid, That the Commissioners of the Customs and Excise in England and Scotland respectively, shall cause the several Rewards of Forty Pounds for the Discovery of the Offenders before mentioned, to be paid by the respective Receiver General or Cashire of the Customs and Excise, for the time being, out of any Publick Money in his or their Hands, under the Management of the said Commissioners, in Proportion to the Duties payable on the Goods so Clandestinely run, for which such Person or Persons shall be convicted, upon producing to them a Certificate or Certificates under the Hand of the Judge or Justice of the Court before whom such Offender or Offenders shall be tried, certifying the Conviction of the Offender or Offenders; and the Money paid by any Receiver General or Cashire, as aforesaid, shall be accepted of and allowed in his Accounts as so much Money paid to his Majesty, and such Receiver General or Cashire is and shall be hereby discharged thereof accordingly; Any Law, Custom, or Usage to the contrary notwithstanding.

And forasmuch as the Persons using such Clandestine Trade, are greatly encouraged to continue in the same, by reason great Numbers of Persons, for their Private Lucre, receive and buy the Goods and Merchandizes so by them Clandestinely imported contrary to Law, which may be a Means of Bringing in the Infection; Be it therefore Enacted by the Authority aforesaid, That if any Person or Persons shall receive or buy any Goods, Wares, or Merchandizes so Clandestinely run or imported, before the same shall have legally been condemned, knowing the same to be so Clandestinely run or imported, and shall be thereof lawfully convicted upon his, her, or their Appearance or Default, upon the Oath or Oaths of One or more Credible Witness or Witnesses, or by the Confession of the Party, by One or more Justice or Justices of the Peace of the County, Division, or Liberty, where such Offence shall be committed, or the Offender shall be found (which Oath such Justice or Justices of the Peace are hereby required to administer) the Persons so convicted shall forfeit the Sum of Twenty

Persons receiving Goods, &c. Clandestinely run, &c. to forfeit 20 *l.*

Pounds,

Pounds, One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed, the same to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices before whom such Offender shall be convicted, as aforesaid; and for want of such Distress, every such Offender shall by such Justice or Justices be committed to Prison, there to remain without Bail or Mainprize for the Space of Three Months.

And whereas several considerable Dealers in Foreign Brandy, Spirits, or Strong Waters, have and keep very large Stocks or Quantities of Foreign Brandy, Spirits, or Strong Waters, for Sale, many whereof live upon or near the Coasts of this Kingdom, and thereby have or may have Opportunities of Furnishing themselves with the said Brandy, Spirits, or Strong Waters, either by Running the same themselves, or Procuring it from others who have or shall run it: And whereas many of the said Dealers are gotten into a Practice of Receiving into their Custody great Quantities of Spirits made in this Kingdom, which for the most part are brought to them from London, with Permit or Certificate that the Duties of the same have been paid, which Spirits are either drawn so low, or by mixing the same with Water, made of so mean a Quality, that of themselves they are of little or no Value, and by having those Spirits in their Custody, the said Dealers have Opportunities of Increasing their Stocks of Foreign Brandy, Spirits, or Strong Waters, which they either run themselves, or procure others to do it for them; and when such Increase is discovered by the Officers of the Excise, the same is pretended to have been made, by a Mixture of the said mean British Spirits, with their Foreign Brandy, Spirits, or Strong Waters, whereas in Truth they really destroy the said British Spirits, and do not mix the same with their Foreign Goods, whereby the Practice of Running the same is become difficult to be found out and discovered, and the Pernicious Trade of Running the said Foreign Brandy, Spirits, or Strong Waters, successfully carried on: For Remedy whereof, Be it Enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and twenty two, all Dealers in Foreign Brandy, Spirits, or Strong Waters, who shall then have, or from thenceforth receive into their Custody, any British Spirits, shall keep the same separate and apart, and in separate Cellars, Vaults, or other Places, from their Foreign Brandy, Spirits, or Strong Waters, upon Pain

All Dealers in Foreign Brandy, &c. to keep them separate from *British* Spirits, on Penalty of 10 *s.* for every Gallon *British*, and Forfeiture of Casks.

of forfeiting the Sum of Ten Shillings for every Gallon of British Spirits, which shall be found in any Vault, Cellar, or other Place, where any Dealer in Foreign Brandy, Spirits, or Strong Waters, shall have or keep any Foreign Brandy, Spirits, or Strong Waters, together with the Casks and other Vessels wherein the same British Spirits shall be so found.

Increase of Foreign Brandy, &c. found by Officer after former Survey, to be deemed as Brandy without Permit, &c.

And it is hereby further Enacted by the Authority aforesaid, That in case any Officer of the Excise shall find any Increase of Foreign Brandy, Spirits, or Strong Waters, in the Hands of any such Dealer, over and above the Quantity which such Officer found in such Dealers Custody at the time of such Officers last preceding Survey upon such Dealer, such Increase shall be deemed and taken to be made by Foreign Brandy, Spirits, or Strong Waters, for which no Duties were paid, and which had been privately brought by such Dealer into the Place where such Increase shall be found, without any Permit or Certificate of the Payment of the Duty thereof, or any previous Entry or Notice to any Officer of Excise of bringing the same; and so much of the said Foreign Brandy, Spirits, or Strong Waters, as shall be found so increased, shall, together with the Cask or other Vessel wherein the same shall be so contained, be forfeited and lost, and shall and may be seized and secured by such Officer and Officers of Excise, who shall so find and discover the same, unless the Owner thereof shall make it appear that such Increase was made either by Mixing some of his Stock of British Spirits, whereof the Officer of Excise had taken an Account, with his Foreign Brandy, Spirits, or Strong Waters, in the Presence of the Officer of Excise of the Division where the said Increase shall be found, or by Foreign Brandy, Spirits, or Strong Waters, brought into the Place where such Increase shall be found, with a Permit or Certificate of the Payment of the Duties thereof, or that the same had been formerly condemned, or was part of some Persons Stock in Hand on the First Day of August, One thousand seven hundred and twenty, and that due Notice was given to the Officer of Excise at the said Division, of the bringing in the same, before the same was so brought in.

Such Brandy, &c. with Cask, forfeited.

And whereas many Retailers of Foreign Brandy, Spirits, or Strong Waters, are furnished with the Brandy, Spirits, or Strong Waters, which they retail, by Persons who run the same, or their Accomplices, in small Quantities (viz.) Less than One Gallon at a time; and when the Officers of Excise find such small

Quantities

Quantities in the Hands of such Retailers, they refuse to produce any Permit or Certificate for the same, alledging, that no such Permit or Certificate are required by Law for any Quantity of such Brandy, Spirits, or Strong Waters, under the Quantity of One Gallon, whereby the Runners thereof find Means to dispose of great Quantities of such Run Brandy, Spirits, or Strong Waters: For Remedy whereof, Be it Enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, One thousand seven hundred and twenty two, no Foreign Brandy, Spirits, or Strong Waters, although the same be under the Quantity of One Gallon, shall be received or taken into the Custody or Possession of any such Retailer, or any Person or Persons, for the Use of any such Retailer, without a Permit or Certificate, signed by some Officer of the Customs or Excise, signifying that the Duties thereof were paid, or secured to be paid, or that the same had been Condemned as Forfeited, or was Part of some Persons Stock in Hand on the First Day of August, One thousand seven hundred and twenty, upon Pain of Forfeiting all such Foreign Brandy, Spirits, or Strong Waters, as shall be so found in the Custody of such Retailer, or any other Person or Persons, for the Use of any such Retailer, without a Permit or Certificate, together with the Cask, Bottle, or other Vessel, wherein the same shall be so found; Any Law, Statute, or Provision, to the contrary thereof in any wise notwithstanding.

Foreign Brandy, though less than One Gallon, without Permit, &c. forfeited, with Cask.

And whereas by virtue of an Act passed in the Session of Parliament holden in the Sixth Year of his Majesties Reign, obliging all such Ships, Persons, and Goods, coming from Places that are or shall be mentioned in his Majesties Proclamation, to perform Quarentine, It is Enacted, That in case any Commander, Master, or other Person, taking Charge of any Ship liable to perform Quarentine, shall not, within convenient Time, after due Notice given for that Purpose by the proper Officer, cause such Ship or Vessel, and the Lading thereof, to perform Quarentine respectively, then such Ship or Vessel is forfeited, and the Commander, Master, or other Person, as aforesaid, forfeits Two hundred Pounds: And whereas the Commanders, Masters, or other Persons, taking Charge of such Ships or Vessels, do pretend, after they are put into the Place or Places to perform Quarentine, to be bound to Parts beyond Seas, or some other Port or Place of this Kingdom, and do frequently depart from such Places without

out the Licence of the proper Officer appointed to see the Quarentine duly performed, contrary to the true Intent and Meaning of the said Act; For Remedy whereof, Be it Enacted and Declared by the Authority aforesaid, That if the Commander, Master, or other Person, taking Charge of any Ship or Vessel liable to perform Quarentine, shall depart with, or permit or suffer such Ship or Vessel to depart from the Place or Places appointed for the Performance of Quarentine, without Leave or Licence of the proper Officer or Officers appointed to see the same performed, such Ship or Vessel, with her Tackle, Furniture, and Apparel, shall be forfeited to His Majesty, His Heirs and Successors, and the Commander, Master, or other Person, as aforesaid, shall also forfeit the Sum of Two hundred Pounds, One Moiety thereof to the Use of His Majesty, His Heirs and Successors, and the other Moiety thereof to the Informer or Prosecutor.

Ships departing without Licence from Places appointed for Quarentine, forfeited,

and Commanders, &c. to forfeit 200 *l.*

And whereas several Persons, Guilty of the Clandestine Running of Brandy, or other Customable and Prohibited Goods, or of receiving such Goods, knowing the same to have been so run, do frequently remove from their usual Places of Abode into some other County, and are there called by other than their true Names, to avoid their being prosecuted with Effect for such their Notorious Offences; Be it therefore further Enacted by the Authority aforesaid, That if any Person or Persons shall, after the said Five and twentieth Day of March, One thousand seven hundred and twenty two, be Guilty of any Offence or Offences, contrary to the true Intent and Meaning of this or any other Act of Parliament, made for the Preventing Clandestine Running of Brandy, or other Customable or Prohibited Goods, or of receiving such Goods into his or their House, Shop or Warehouse, Custody or Possession, knowing the same to be so Run, such Person and Persons shall and may be prosecuted for any of the Offences or Matters aforesaid, by Action, Bill, Plaint, or Information, and thereupon a Capias in the first Process, specifying the Sum of the Penalty sued for, shall and may issue; and such Person or Persons shall be obliged to give sufficient Bail or Security, by Natural Born Subjects, or Denizens, to the Person or Persons to whom such Capias shall be directed, to appear in the Court out of which such Capias shall issue, at the Day of Return of such Writ, to answer such Suit and Prosecution, and shall likewise, at the time of such Appearing, give sufficient Bail or Security by such Persons, as aforesaid, in the said Court, to answer and pay all the Forfeitures and

How Persons Running Brandy, &c. removing from their Abode, &c may be prosecuted.

Penalties incurred for such Offence or Offences, in case he or they shall be convicted thereof, or to yield his or their Body or Bodies to Prison.

And whereas by Two several Acts passed in the Eighth Year of the Reign of her late Majesty Queen Anne, the One Intituled, An Act for Granting to Her Majesty New Duties of Excise, and upon several Imported Commodities, and for other Purposes therein mentioned; the other Intituled, An Act for Continuing several Impositions, Additional Impositions, and Duties upon Goods Imported, to raise Money by way of Loan, for the Service of the Year One thousand seven hundred and ten; and for taking off the Over-Sea Duty on Coals Exported in *British* Bottoms; and for better Preventing Frauds in Drawbacks upon Certificate Goods, and other Purposes therein mentioned; It is thereby respectively Enacted, That if any sort of Goods whatsoever, liable to the Payment of Duties, be unshipped with Intention to be laid on Land (Customs and other Duties not being first Paid or Secured) or if any Prohibited Goods whatsoever be Imported into any Port of Great Britain, or in case any Tobacco, or other Foreign Goods, contained or specified in any Certificate, whereupon any Drawback is to be made, or whereupon any Debenture is to be made forth for such Drawback, shall, when shipped for Exportation, be landed again in any Part of Great Britain (except as therein is excepted) the Vessels and Boats, and all the Horses, and other Cattle, and Carriages whatsoever, used in the Landing, Relanding, Removing, Carriage, or Conveyance, of the aforesaid Goods, shall be forfeited and lost, and may be sued for, recovered, and distributed in such manner, as by the said Act is Provided and Directed; which Laws have not had the good Effects thereby proposed, in regard that the Keeping or Maintaining the Horses so seized, from the time of Seizure to the time of Condemnation in His Majesties Court of Exchequer, is very Chargeable, and for that the Charge of Condemning such Vessels, Boats, and Horses, as aforesaid, is very Great, whereby Officers are Discouraged from making such Seizures, and the Smuglers Encouraged in their illegal Practices; Be it therefore Enacted by the Authority aforesaid, That all Seizures of Vessels or Boats of the Burthen of Fifteen Tuns or under, which shall be made after the Twenty fifth Day of March, One thousand seven hundred and twenty two, by virtue of the said Acts, or either of them, or of any other Act relating to the Revenue of Customs, for carrying or conveying Uncustomed or Prohibited Goods from Ships Inwards,

Seizures of Vessels, &c. of 15 Tuns or under, how to be proceeded upon.

or for Relanding Certificate or Debenture Goods from Ships Outwards; and that all Seizures of Horses, or other Cattle, or Carriages whatsoever, which shall be made after the Twenty fifth Day of March, One thousand seven hundred and twenty two, for being used in the Removing, Carriage, or Conveyance of such Goods, contrary to the said Acts, or any of them, shall and may be Examined into, Proceeded upon, Heard, Adjudged, and Determined, by and before Two or more of his Majesties Justices of the Peace residing near the Place where such Seizure shall be made, in such Manner, and after such Summons, or Publick Notice given, as by an Act passed in the Sixth Year of his present Majesty, Intituled, An Act for Preventing Frauds and Abuses in the Publick Revenues of Excise, Customs, Stamp-Duties, Post-Office, and House-Money, Seizures of Brandy, Arrack, Rum, Spirits, or Strong Waters, (except as therein is excepted) may be Examined into, Proceeded upon, Heard, Adjudged, and Determined, before Two or more of his Majesties Justices of the Peace; and such their respective Judgments shall be and are hereby Declared to be taken and adjudged to be good, valid, and effectual in the Law, and final to all Intents and Purposes whatsoever, and not liable to any Appeal, or any Writ or Writs of Certiorari; Any Law, Statute, or Provision, to the contrary notwithstanding.

No *Certiorari*.

Justices of *London*, *&c.* to have like Power as other Justices.

Provided always, and be it Enacted by the Authority aforesaid, That any Two or more Justices of the Peace of the Cities of London and Westminster, shall have the like Power and Authority in the Summoning, Examining, Proceeding, Hearing, Adjudging, and Determining, such Seizures, as are or shall be made within the Cities of London or Westminster respectively, as any Two Justices of the Peace of any other County or Place have; Any Law or Custom to the contrary notwithstanding.

Goods brought from one Port into another in *Great Britain*, *&c.* unshipped before Cocquet delivered to Customer, *&c.* forfeited.

And whereas Foreign Goods are frequently taken in at Sea by Masters of Coasting Vessels, who privately land the same, to the Prejudice of the Revenue, and the Encouragement of the Foul Traders; For the Prevention whereof, Be it further Enacted by the Authority aforesaid, That if any Goods brought or coming into any Port within the Kingdom of Great Britain, from any other Port within the said Kingdom, by Coast, Cocquet, Transire, Let, Pass, or Certificate, in any Ship or Vessel, shall, from and after the Twenty fifth Day of March, One thousand seven hundred and twenty two, be unshipped to be landed or put on shore before such Cocquet, Transire, Let, Pass, or Certificate,

shall be delivered to the Customer, or Collector, and Comptroller, of the Port or Place of her Arrival, and Warrant or Sufferance made and given from such Customer, Collector, and Comptroller, for the Landing or Discharging thereof, the Master, Purser, Boatswain, or other Mariner, taking Charge of such Ship or Vessel out of which the Goods shall be landed or put on shore, knowing and consenting thereunto, shall forfeit the Value of the Goods so unshipped; and if any Goods of Foreign Growth, Production, or Manufacture, coming Coastwise, as aforesaid, shall be landed without the Presence of an Officer of the Customs, such Foreign Goods, or the Value thereof, shall be forfeited and lost; Any Law, Custom, or Usage, to the contrary notwithstanding.

Foreign Goods landed without Presence of Officer, forfeited.

And whereas by an Act made in the Sixth Year of the Reign of his present Majesty, Intituled, An Act for Preventing of Frauds and Abuses on Damaged Wines, and for Lengthning the Time for the Drawbacks on the Exportation of Wines, It is Enacted, That in case any Merchant or other Person Importing Wines, shall find the same, or any part thereof, so damaged, corrupt, or unmerchantable, that he shall refuse to pay or secure the Duties of such Wines, and shall thereupon stave, spill, or otherwise destroy the same, as by the said Act he is allowed to do, in the Manner therein mentioned, such Merchant or other Person, shall, as a Compensation for the Freight and other Charges, have the Sum of Four Pounds for every Tun of Wine, containing Two hundred and fifty two Gallons, of the Growth of Germany, or Wines which pay Duties as such, and of the Growth of France, so staved, spilt, or otherwise destroyed, and the Sum of Eight Pounds per Tun for every Tun of Wine of the Growth of Spain, Portugal, or elsewhere, and so in Proportion for a greater or lesser Quantity, to be paid in the Manner thereby directed; which several and respective Allowances were made with Regard to the Distances of the Places from whence the said several Sorts of Wine are usually Imported: And whereas since the making of the said Act, great Quantities of Mean and Corrupt Wines have been Imported from the Isle of Man, the Freight whereof was inconsiderable, and staved for the Benefit of the above mentioned Allowances for Freight and Charges, contrary to the true Intent and Meaning of the said Act; which Fraudulent Practice may not only, from the Encouragement before mentioned, be continued from the said Island, but also be carried on by Ill-disposed Persons from Ireland, and the Islands of Jersey and Guernsey, or other Places in Parts beyond the Seas,

Seas, to the lessening of his Majesties Revenues, and Prejudice of Fair Traders; Be it therefore Enacted by the Authority aforesaid, That no Allowance shall be made by virtue of the said Act, for the Freight or Charges of any Wine which shall be Imported after the Twenty fifth Day of March, One thousand seven hundred and twenty two, unless such Wine be Imported in Casks on board some Merchant Ship or Vessel, directly from the Country or Place of the Growth of such Wine, or the usual Port or Place of its first Shipping; Any thing in the said Act to the contrary notwithstanding.

After 25 *March*, 1722. No Allowances for Freight of Wine, unless imported directly from the Place of its Growth.

Provided always, and be it Enacted by the Authority aforesaid, That in case any Ship or Vessel having Wines on board, shall, by Stress of Weather, or any other Accident be stranded, then and in such Case, the Wines on board such Ship or Vessel, which shall be saved, may be put on board any other Ship, Vessel, or Boat, and be carried to any of the Lawful Ports or Places for Landing of Goods in this Kingdom, and be entitled to the same Allowances for such of them, as shall be staved, spilt, or destroyed, as if they came in the Ship or Vessel in which they were first loaded; Any thing in this or any other Act to the contrary notwithstanding.

Allowances for Wines in Ships stranded.

And whereas by an Act passed in the Sixth Year of his Majesties Reign, Intituled, An Act for Preventing Frauds and Abuses in the Publick Revenues of Excise, Customs, Stamp-Duties, Post-Office, and House-Money, It is Enacted, That every Licence taken out for the Importation of Nutmegs, Cloves, Mace, or Cinnamon, in the Manner therein directed, shall be delivered to the Merchant demanding the same, to be produced and delivered up by the Master, Purser, or other Person taking Charge of the Ship, to the Collector and Comptroller of the Port at the time of entring the Ship, which Act is evaded for want of Penalty to enforce the same, contrary to the true Intent and Meaning thereof; Be it therefore Enacted by the Authority aforesaid, That in case the Master, Purser, or other Person taking Charge of any Ship, Importing any of the said Spices from any Place or Places beyond the Seas, other than directly from the East-Indies, shall not deliver up such Licence to the Collector and Comptroller of the Port into which the said Spices shall be Imported, at the time of his or their Entring the said Ship, regularly Endorsed, as in and by the said Act is directed, and also annex such Licence to the Entry or Report of the Ship; and in case each Cask of Nutmegs, Cloves,

Licence for Importation of Nutmegs, *&c.* to be delivered to Collector of the Port, where the Spices shall be imported, *&c.*

or Mace, so Imported, shall not contain Neat Three hundred Pound Weight, and each Bale of Cinnamon Neat Seventy Pound Weight, as by the said Act is directed, then and in any of the said Cases, such Nutmegs, Cloves, Mace, or Cinnamon, shall be forfeited, and deemed to be Imported without a Licence, granted or to be granted by virtue of the said Act, or any former Law; and such Spice shall and may be prosecuted, as also the Ship Importing the same, by any Act or Acts of Parliament now in Force relating to the Customs, as if such Spice had been Imported without Licence; Any Law, Custom, or Usage, to the contrary notwithstanding.

Penalty in case of Deficiency in Quantity of Casks, &c.

And whereas by the Acts made in the Twelfth and Twenty fifth Years of the Reign of his late Majesty King Charles the Second, the former Intituled, An Act for the Incouraging and Increasing of Shipping and Navigation; and the latter Intituled, An Act for the Incouragement of the *Greenland* and *Eastland* Trade, and for the better Securing the Plantation Trade; and by One other Act made in the Third and Fourth Years of the Reign of Her late Majesty Queen Anne, Intituled, An Act for Granting to Her Majesty a further Subsidy on Wines and Merchandizes Imported, certain Commodities therein respectively enumerated, of the Growth, Production, or Manufacture, of any of the British Plantations in America, Asia, or Africa, are, for the Reasons therein mentioned, restrained to be Imported into this Kingdom, or to some other of the said Plantations, under the Securities and Penalties in the said Two first recited Acts, or either of them, particularly mentioned; since the making of which Laws, Copper Ore (which is not in any of the said Acts particularly enumerated) is produced in the said Plantations, and carried to Foreign Markets in Europe, without being first brought into this Kingdom, to the Prejudice of the Trade, and the lessening the Correspondence and Relation between this Kingdom and the aforesaid Plantations; For Prevention whereof for the future, Be it Enacted by the Authority aforesaid, That from and after the Twenty ninth Day of September, One thousand seven hundred and twenty two, all Copper Ore shall be, under the like Securities and Penalties, restrained to be Imported into this Kingdom, as by the fore recited Acts, or any of them, is provided for the Goods therein particularly enumerated; Any Law, Custom, or Usage, to the contrary notwithstanding.

Copper Ore of the Produce of *British* Plantations, subjected to such Regulations as other Commodities, &c.

And be it further Enacted by the Authority aforesaid, That the several Penalties and Forfeitures in this Act mentioned,

Penalty how to be prosecuted, &c.

shall and may be Prosecuted and Determined by Bill, Plaint, or Information, in any of his Majesties Courts of Record at Westminster, or in the Court of Exchequer at Edinburgh respectively (except where it is in this Act otherwise directed) wherein no Essoign, Protection, or Wager of Law, shall be allowed; and One Moiety of the said several Penalties and Forfeitures shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons as will sue for or prosecute the same.

Seizures how, and by whom, to be made.

And whereas Doubts have arisen and been made of and concerning the Seizing of such Brandy, Arrack, Rum, Spirits, and Strong Waters, as well Foreign as British, and also of such Foreign Exciseable Liquor, as by Act or Acts relating thereto now in Force, are in several and respective Cases Enacted and Declared to be forfeited; Now to clear all Doubt and Question therein, or relating thereto, Be it Enacted and Declared by the Authority aforesaid, That the Liquors aforesaid, every or any of them, which have been, are, is, or hereafter shall be forfeited by any Act or Acts of Parliament now in Force, or hereafter to be made, together with the Casks, Bottles, Vessels, or other Package, containing the same, ought to be, and from time to time, shall and may be seized by any Officer or Officers of the Customs or Excise respectively, or by such Person or Persons, who are or shall be deputed or authorized thereto, by Warrant from the Lord Treasurer or Under Treasurer, or by Special Commission from his Majesty under the Great Seal or Privy Seal, but by none other or others whatsoever.

Resisting Officer, &c. forfeits 40 *l.*

And be it further Enacted by the Authority aforesaid, That if, from and after the Twenty fifth Day of March, One thousand seven hundred and twenty two, any Person or Persons whatsoever, shall assault, resist, oppose, molest, obstruct, or hinder any Officer or Officers of Customs or Excise, in the due Seizing or Securing any Brandy, Arrack, Rum, Spirits, or Strong Waters, either Foreign or British, or any Foreign Exciseable Liquors, which by any Officer or Officers of Customs or Excise, shall or may be seized by Virtue or in Pursuance of this or any other Act or Acts now in Force, or hereafter to be made, or shall, by Force or Violence, rescue, or shall cause or procure to be rescued, any Brandy, Arrack, Rum, Spirits, or Strong Waters, British or Foreign, or any Foreign Exciseable Liquors, after the same shall have been seized by such Officer or Officers, as aforesaid, or shall attempt or endeavour

so to do, or shall, at or after such Seizure, stave, break, or otherwise destroy or damage any Cask, Vessel, or Bottle, containing such Brandy, Arrack, Rum, Spirits, or Strong Waters, British or Foreign, or such Foreign Exciseable Liquor, the Party or Parties so offending, shall, for every such Offence, forfeit and lose the Sum of Forty Pounds.

And be it further Enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in Pursuance of this Act, that the Defendant or Defendants in such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in Pursuance and by Authority of the said Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be Nonsuited, or Discontinue his Action, after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as the Defendant or Defendants hath or have in other Cases by Law. General Issue.

Provided always, and it is hereby further Enacted by the Authority aforesaid, That this present Act shall Continue and be in Force for the Space of Two Years, commencing from the Twenty fifth Day of March, One thousand seven hundred and twenty two, and from thence to the End of the then next Session of Parliament, and no longer. This Act to continue for 2 Years after 25 *March*, 1722.

FINIS.

F I N I S.